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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09:889,309	10/22/2001	Detlef Lauk	R.36445	2314

2119 7590 09/04/2003

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EXAMINER

MOHANDESI, IRAJ A

ART UNIT PAPER NUMBER

2834

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/889,309

Applicant(s)

LAUK, DETLEF

Examiner

Iraj A Mohandesi

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 18-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-23, 25-38, 40 and 41 is/are rejected.
- 7) ☒ Claim(s) 24 and 39 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2834

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the pole housing being one piece with gear housing as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 27,28,41 and 42** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "pole housing being engaged positive or non-positive" is not clear and make the claim vague and indefinite.

### *Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 18-23,25-30,3438,40-42** are rejected under 35 U.S.C. 102(b) as being anticipated by **Kobman US patent 5,925,962**.

Art Unit: 2834

**Kobman'962** discloses an electric motor an electric motor (22), having a rotor (42) with a shaft (44) and a pole housing (26), the pole housing (26) including an end shield (28), a motor bearing (Fig. Column 10,line 42)) for the rotor (42), and at least one magnet (40) and a shod-circuit element (see Fig. 1 for magnet yoke), and a one- or multi-part gear housing (30), connected to the pole housing (26), the pole housing (26) being in one piece with at least one pad of said gear housing (30), the pole housing (26) is formed of plastic (see abstract), one magnet (40) is injected at least partly into the pole housing (26), the short-circuit element (magnet yoke) comprises at least two shells (see Fig.1).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kobman'962** in view of **Bobay US patent 6,286,199**.

**Kobman'962** discloses an electric motor an electric motor (22), having a rotor (42) with a shaft (44) and a pole housing (26), the pole housing (26) including an end shield (28), a motor bearing (Fig. Column 10,line 42)) for the rotor (42), and at least one magnet (40) and a shod-circuit element (see Fig. 1 for magnet yoke), and a one- or multi-part gear housing (30), connected to the pole housing (26), the pole housing (26) being in one piece with at least one pad of said gear housing (30), the pole housing (26) is

Art Unit: 2834

formed of plastic (see abstract), one magnet (40) is injected at least partly into the pole housing (26), the short-circuit element (magnet yoke) comprises at least two shells (see Fig.1).

However **Kobman'962** teaches all limitation of the claimed invention except the end shield is secured to the housing by adhesive bonding ,ultrasonic welding and by heat treatment.

**Bobay'199** discloses a method for assembly of motor using adhesive bonding ,ultrasonic welding heat treatment to connect the housing with plastic rim for the purpose of bonding and securing the housing to the end rim ( see detailed description DETX 4 for heat staking , ultrasonic welding and DETX 8 for adhesive).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide to **Kobman'962** motor the method for assembly of motor using adhesive bonding, ultrasonic welding heat treatment to connect the housing to the plastic rim as taught by **Bobay'199** for the purpose of bonding and securing the housing to the end shield.

#### ***Allowable Subject Matter***

7. Claims 24,39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

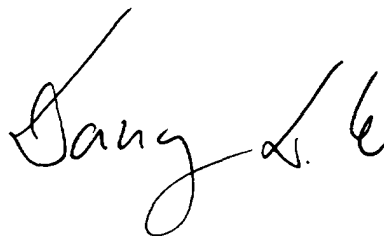
### ***Communication***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandesi whose telephone number is (703)305-3242. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1371. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-0377.

Im August 27, 2003

A handwritten signature in cursive script, appearing to read "Dang Le".

**DANG LE  
PRIMARY EXAMINER**